

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>JOE HAND PROMOTIONS, INC.,</b>	:	
<i>Plaintiff,</i>	:	<b>CIVIL ACTION</b>
	:	
v.	:	
	:	
<b>VICTOR YAKUBETS and</b>	:	
<b>CAFÉ NOSTALGIE, INC.,</b>	:	<b>No. 12-4583</b>
<i>Defendants.</i>	:	

**ORDER**

**AND NOW**, this 11th day of March, 2014, upon consideration of Joe Hand Promotions, Inc.’s (“Joe Hand”) Renewed Motion for Default Judgment (Docket No. 14), **it is HEREBY ORDERED that the Motion is GRANTED such that:**

1. For its violation of 47 U.S.C. § 553(a)(1), **Café Nostalgie is liable to Joe Hand for a total sum of \$4880** in statutory and enhanced damages under 47 U.S.C. § 553. This award is comprised of:
  - a. an award of \$1220 in statutory damages under 47 U.S.C. § 553(c)(3)(A)(ii) (\$500 for the foregone sublicense fee and \$720 for Café Nostalgie’s estimated profits) *and*
  - b. an award of \$3660 in enhanced damages under 47 U.S.C. § 553(c)(3)(B) (treble the statutory damages award).
2. **Victor Yakubets is jointly and severally liable for \$500 of the \$4800.** For the remaining \$4300, Café Nostalgie is severally liable.
3. **JUDGMENT is thus ENTERED** in favor of Joe Hand and against Café Nostalgie and Victor Yakubets.

4. The Clerk of Court shall **mark this case CLOSED** for all purposes, including statistics.
5. Joe Hand is granted **leave to file a Motion for Attorneys' Fees and Costs by March 28, 2014**. In the Motion, Joe Hand should address both
  - a. the reasonableness of Mr. Riley's fees *and*
  - b. the legal issue of whether the rule that "a judge [not] decrease a fee award based on factors not raised at all by the adverse party," *Bell v. United Princeton Props., Inc.*, 884 F.2d 713 (3d Cir. 1989), applies to the default judgment context.

BY THE COURT:

/s/ Gene E.K. Pratter  
GENE E.K. PRATTER  
United States District Judge